BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of) HAE SOO KWON, dba UNITED V.I.P. LIMOUSINE TOURS

For Extension of Motor Carrier

Certificate.

DOCKET NO. 01-0058

DECISION AND ORDER NO. 20733

Filed Jan. 7 At <u>8:00</u> o'clock <u>A</u> .M.

Chief Clerk of the

ATTEST: A True Copy KAREN HIGASHI

Chief Clerk, Public Utilities Commission, State of Hawaii.

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In the Matter of the Application of)

HAE SOO KWON, dba UNITED V.I.P. LIMOUSINE TOURS

For Extension of Motor Carrier Certificate.

Docket No. 01-0058

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DECISION AND ORDER

I.

Application to Extend Motor Carrier Authority

HAE SOO KWON, dba UNITED V.I.P. LIMOUSINE TOURS ("Applicant"), is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers. On February 27, 2001, Applicant filed an application seeking commission approval to extend his authority under certificate of public convenience and necessity number 1542-C ("Certificate No. 1542-C") by removing the 15 passenger seat limitation in the 8-to-25 passenger classification. Applicant represents that if his

¹On the date of the application, Applicant had \$2,500.00 in outstanding civil penalties owed to the commission. Applicant was ordered to appear before the commission on October 29, 2002, to show cause why his certificate of public convenience and necessity should not be revoked ("OSC Hearing"). The OSC Hearing was continued to December 18, 2002, and again to March 19, 2003. On October 8, 2003, a findings of fact, conclusions of law, and recommended decision of the hearings officer ("Recommended Decision") was issued. The Recommended Decision recommended that the commission accept and approve Applicant's Proposed Payment

authority is extended as requested, he can meet customer demand for motor vehicles with a larger seating capacity.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified Common Carriers Association, Inc., which consist of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

II.

Findings

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes chapter 271 and the requirements and rules of the commission. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for an extension of his authority should be granted.

01-0058

Plan, the result of the March 19, 2003 OSC Hearing, in which Applicant said he would pay \$250.00 per month for 10 months to satisfy his civil penalties. On November 20, 2003, Applicant made final and full payment to the commission of his penalties.

III.

Order

THE COMMISSION ORDERS that Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification.

DONE at Honolulu, Hawaii this 7th day of January, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Ву.

Carlito P. Caliboso, Chairman

Monthermun

Wayne H. Kimura, Commissioner

By Mut E Karodo

Jamet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone Commission Counsel

01-0058.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 20733</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

HAE SOO KWON, dba UNITED V.I.P. LIMOUSINE TOURS 708 Paani Street, Suite 101 Honolulu, HI 96826

Karen Higashi

DATED: January 7, 2004